

The Pacific Commercial Advertiser

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WALLACE R. PARRINGTON, EDITOR.

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WHAT MUST LAWS BE?

We think our correspondent in his criticism on Mr. Carter's article fails to see that Mr. Carter, in a brief address, confined himself only to one phase of a great question. To have done more would have required a volume. He did not pretend to treat the subject of ethics which underlie all laws and constitutions. He attempts to show that "rights," however existing, or obtained by society, take the form of "customs, usages and thoughts," and that these govern society, in the unwritten or what lawyers term the "common law," and eventually, by statute law. Our correspondent forgets, perhaps, that the vast mass of law, today, is wholly unwritten, and lies in the customs and thoughts of society, and that judges and lawyers, do not apply their individual opinions of what is "right" in these cases, which would produce utter confusion in the law, but simply find, as Mr. Carter says, what the customs and usages are. The laymen, generally, do not understand this, and some lawyers don't. It is for society to change or modify its ideas about ethics, assisted, of course, by all good men, and the judges apply the general idea. Much legislation has been of the kind suggested by our correspondent's illustration, that of giving a man medicine or drugs in the hope of putting a new nose on him, or restoring a lost arm. The value of Mr. Carter's address is in the analysis of the actual "mechanism" of the working out of political institutions.

Our correspondent says that government does not depend upon the "whims" of the populace. What is a whim? It is, essentially, an opinion, and it certainly does make and unmake governments. One day, in 1871, the French people supported the second Napoleonic empire. The next day, by a whim or opinion, they upset it, and established a republic, which now stands. The British nation, today, maintains a House of Lords. Tomorrow, by the whim or opinion of the majority, they may abolish it, and rule through the House of Commons—a situation which the Americans would not accept. Tolstoi says the Czar of Russia rules only with the implied and effective consent of millions of peasants. If they changed their minds, and acted together, he would "go" at once. The events which lead up to these changes—the evolution of ethics—belong to another branch of historical treatment.

Our correspondent says that "every Government to be legitimate must conform to the ultimate rule of rights." Who, indeed, is to determine what "right" is? England believes it "right" to unite Church and State. Americans do not, who shall determine? The State of Connecticut allows absolute divorce for four separate causes. The State of New York allows it only for one cause, which is "right?" A man was granted a divorce by a competent tribunal, in the State of Ohio. He then married in the State of New York, and is now in prison for bigamy. The New York judges repudiated the law of Ohio. Which is "right?" In New England a man is punished for taking over six per cent. interest. In Colorado he can take ten per cent. Which is right? The law of New York forbids a man to leave over one-half his estate to charity. In Pennsylvania, he may leave the whole of it to charity. Which is right? Who is to determine it? Mr. Carter tells us, that effective laws express the thought, customs and usages of people, whether they

are right or wrong, and that if they do not, they are not enforced. As society improves, customs, usages and laws improve.

We have a law, here, forbidding cruelty to animals. It is not enforced, excepting in this city. It is a dead letter. Everybody knows it. And why? Because the customs, usages and thoughts of men are not elevated enough to enforce it. If a horse is stolen, then customs, etc., work with wonderful celerity.

In these islands, the Anglo-Saxons have now established their own ideas of "right," and maintain them with the bayonet. We all agree to it. We have simply and effectively established our own customs, usages and ideas, and ended the "Empire of the calabash," because we don't like it. We may be all wrong, as many communities do go wrong, but we have done it. There is no profound metaphysics about it. We look at things one way. The kanaka looks at them in another way. We are the stronger. After awhile, the Portuguese and the Japanese, with greater numbers and growing intelligence, may say, "We will enforce our way of thinking." Then, their customs and usages and thoughts will prevail. Our correspondent infers, from Mr. Carter's argument, that we deem that the customs and usages of the Calabash Empire prevail under the Republic. They do not, because we have, for the time being, rooted them out; not with ethical methods, but with the bayonet. Give the kanaka an unrestricted vote, take away the bayonets, and the Calabash Empire would reappear, in some form. We tried for sixty years to make the natives think as we did. They would not, and in self-preservation we ended their rule.—[W. N. A.]

VICTIM OF FAKERS.

The official investigation of the reported atrocities committed by Japanese soldiers at the fall of Port Arthur shows that the Government of Japan has been the victim of a faking newspaper correspondent. Coming at the present time, it has seemed possible that the Japanese Government might lose its prestige as a civilized nation, which it has struggled so long and arduously to obtain. This was particularly true in the United States, where the reports were given the greatest publicity.

With all its blessings, the sharp newspaper competition of the past twenty years has brought into being a curse that is daily cropping out from some corner of the globe—the newspaper fakir. There exists a class of journals which, by dint of catering to the morbid tastes of a certain population, have attained a circulation and influence which is a recognized power. While surrounding their editorial pages by a warm, pious glow, they open their first pages and extensive head lines to reading matter that has not a shade of a foundation for truth; matter which too often commits personal injury, and among nations—as in the case of Japan—tends to undo the labor of years. Newspapers will give up columns of their space to allow some hair-brained, imaginative correspondent pour a blood-curdling or spicy story, as the case may be, into the ears of its 50,000 or 100,000 readers. Possibly, in the next issue in some out-of-the-way corner of the sheet, the reader may find a stickful of reading matter, in which it is stated that the representative of the paper had been misled, or some other lame excuse made. The fact, however, remains that columns of the most religious and penitent editorial retraction could not allay the harm done by the nicely worded story that caught the fancy and was read, lies and all, by the majority of the people in whose hands the paper fell. Not long since a young penny-a-liner brought into the office of a leading Eastern daily a very readable story of an interview with a criminal, who was under the strictest watch to prevent any communication whatsoever with the outside world. The story necessarily implicated the honor of several of the trusted officials of the

State. It was a good story and sold papers, but did not possess one iota of truth. The only defense given the officials implicated was the publication of their denial in toto, of every reported incident. Evil travels with greater rapidity than virtue, and in how many minds was the standard of honor trusted servants of the people lowered. True, such yarns are given credence only among the "great unwashed," but this only makes it a matter of greater importance than the "great unwashed" should have healthy reading matter.

It is a misfortune that Japan should have fallen a victim to the work of the fakir, but its prompt investigation and speedy denial will no doubt overcome the derogatory effects of the work of the war correspondent. Would that the progressive little nation could turn its victorious forces upon the small army of newspaper fakirs and subdue them as completely as it has its martial opponents.

That editor is fortunate who can give the strong personality and character to his paper through the editorial columns, after the manner of W. N. Armstrong, the retiring editor of the ADVERTISER. Personality in journalism cannot be relegated to the archives of past history when he is in the editorial chair. Mr. Armstrong, by long residence in the country and years of experience in the diplomatic and political circles of this and other countries, has a wonderful store of cold facts, which peculiarly equip him for a leader of progressive thought in Hawaii. As a newspaper man, Mr. Armstrong has the right spirit, and those who have been associated with him regret his early departure. Although the editorial management changes, the ADVERTISER will continue in the even tenor of its way, with no sky-rockets or red fire accompaniments. We shall continue to furnish the people with the latest news, and the truth about it, and shall endeavor to direct the public mind in the channels which will always prove the greatest benefit to the citizens of the Republic of Hawaii.

Auction Sales.

James F. Morgan.

AUCTION SALE

—OF—

RESIDENCE!

ON FORT STREET.

On Saturday, Jan. 5th

AT 12 O'CLOCK NOON,

At my Salesroom, I will Sell at Public Auction,

That Residence

On the East Side of Fort Street at Present Occupied by Mr. Turner.

The Lot has a frontage of 79 feet on Fort street, is 107 feet deep, and 77 feet at rear.

There is a Cottage and Outhouses on the Property.

The Premises are under lease to Mr. Turner at \$18 per month.

The lease expires June 1st, 1895.

Part of the purchase price can remain on mortgage.

For further particulars, apply to

Jas. F. Morgan,

3881-td AUCTIONEER.

AUCTION SALE

By direction of the heirs of the late JOHN C. KIRKWOOD, there will be sold at Public Auction at the Salesroom of Jas. F. Morgan, in Honolulu, on

Monday, January 7, '95

AT 12 O'CLOCK NOON.

All of the right, title and interest of the heirs of said Kirkwood in and to the following tracts of land at LAHAINA, Maui.

1—Lot of land formerly occupied by said Kirkwood as his store premises, being Apana 2, L. C. A. 327. Area: 2 rods, 34 rods, more or less.

2—Lot near the beach at Punnoa, Lahaina, Apana 3, R. P. 1890. Area: .14 of an acre, more or less.

3—Kula land at Honokowai, Kaanapali, Apana 1 and 3, R. P. 1684. Area: 45.84 acres and 7 1/2 acres, more or less.

Terms Cash. Deeds at expense of purchaser.

Jas. F. Morgan,

3876-eod AUCTIONEER.

Timely Topics

December 29, 1894.

That there is more or less opium brought into the country contrary to law no one will deny and most people believe that a large portion of it comes in vessels plying between ports on the Pacific Coast and the Hawaiian Islands. To acknowledge this as a fact is to argue that the men who bring it here and land it successfully are smarter in their business than the men employed by the Government to keep it out. Where's the remedy?

On the other hand it is believed that opium is landed from numerous small schooners sailing out of Victoria and Vancouver, which clear for the Japan Sea with permission to stop and trade at ports in the Hawaiian Islands. If the sands on the beach, of the small islands to windward could bark their information of the doings of these "long rakish crafts" what a yelping there would be. There might be a check put on this class of customers if the Government would petition the Custom House authorities of the United States and British Columbia at ports along the Coast to deny the masters of these small sailing vessels clearance papers, such as is mentioned above. A request of this character would be honored without a question, and opium smuggling through that source might have a set back. If, in the opinion of the Government it is not a good thing to license the drug it looks to a man up a tree, as though extraordinary means should be taken to prevent its importation. What's the matter with organizing a revenue marine service and have a cutter that could do patrol work?

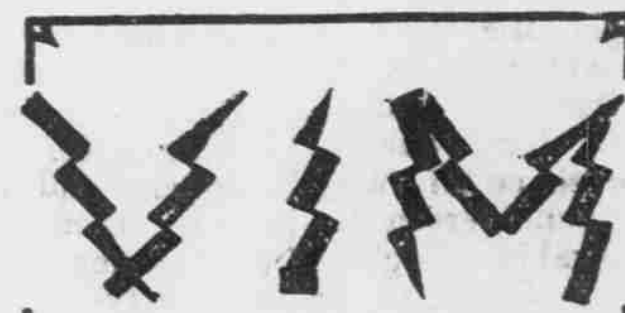
We are now handling the celebrated "Victor" safe made in Cincinnati and used by three-fourths of the postmasters in the United States. It must be a good thing when Uncle Sam adopts it. We have them in small sizes and have larger ones on the way. They are not "just as good" as some other makes—they're a trifle better. They are well finished and strong; having double doors they are not easy of access to persons who have no business with the contents. The price is about right.

You will find a hanging lamp useful at all times even when you have electric lights in your dwelling. You will also find after you have examined lamps in every other establishment that ours are just a little mite better and a great deal cheaper. They have the B. & H. burner with the patent arrangement that obviates the necessity of taking off the chimney when you light the wick. The decorations are elegant, and the material holding the founts as good as can be made. We have a very nice assortment of Banquet lamps that are much sought after by persons who want something elegant for the parlor or dining room. The name doesn't signify anything; they give just as good light in the parlor or bedroom as they do in a banquet hall—try one of them for any purpose and you will be surprised with your purchase.

Our last lot of Cocoa Mats is about the best we have ever had. Those with "Aloha" on them are exceedingly well made and will last a life time. There's a big stock and the prices run from 50 cts. to \$8; depends upon the size and quality.

The Hawaiian Hardware Co. Ltd.

Opposite Spreckels' Block,
305 FORT STREET.



energy, force, all go to make the perfect man. If you are lacking in any of these there is something wrong, most likely a run-down condition of the system. Perhaps a stubborn cough or weak lungs. Perchance even consumption or chronic bronchitis.

Angier's Petroleum Emulsion

is the Food-Medicine, successfully combats disease, builds up the constitution and supplies new energy.

50 cts. and \$1.00.

Our books "Health" and "Beauty" sent free.

ANGIER CHEMICAL CO., Boston.

HOBSON DRUG CO., Agents.

Pacific Hardware Co.,

Water Filters—
Paint Brushes—
An invoice of choice
Etchings, Photogravures.
Autotypes, Monochromes,
etc. Just to hand—
10,000 Ft. Moulding ex.
Schooner Transit—

THE MUTUAL

LIFE INSURANCE COMPANY OF NEW YORK

RICHARD A. McCURDY . . . President.

Assets December 31st, 1893 : \$186,707,680.14

A Good Record, the Best Guarantee for the Future.

FOR PARTICULARS, APPLY TO

S. B. ROSE,

General Agent for Hawaiian Islands.

ATTENTION.

A Special Christmas Sale, commencing MONDAY, December 17. We will everything regardless of cost for 8 days only.
Come and inspect our stock of Holiday Goods; the LOWEST and BEST.

YOKOHAMA

BAZAAR,

MURATA & CO.,

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HOTEL STREETS.

Proprietors.